

The **FAMILY
CIRCUS**

VISITS THE COURTS

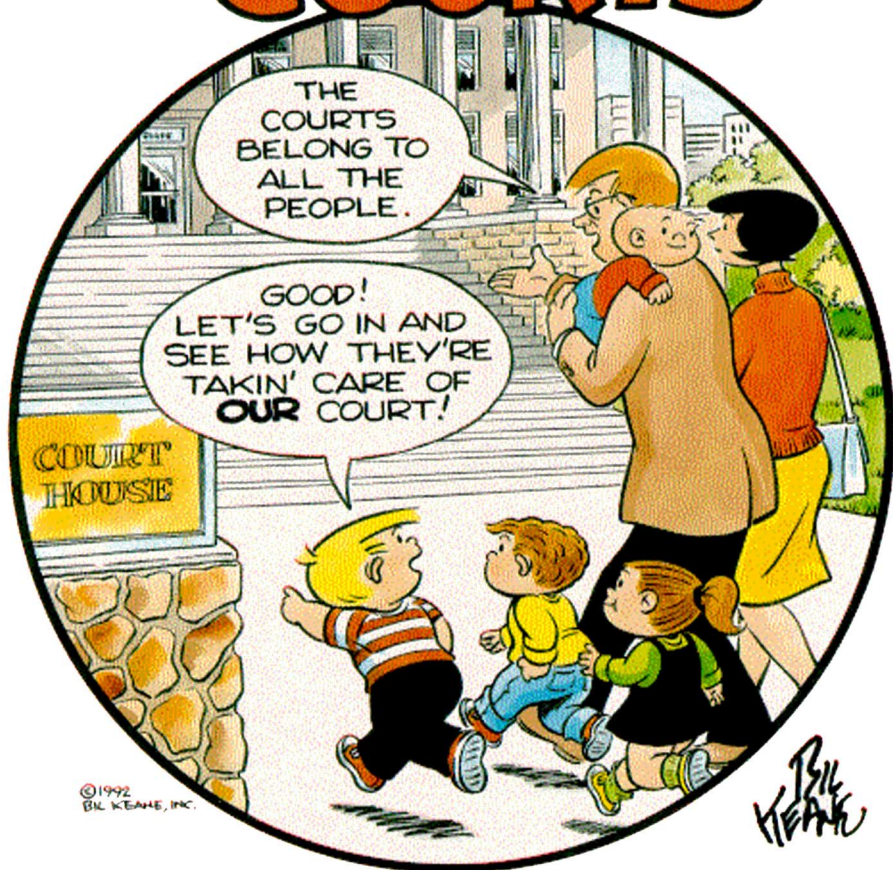


Table of Contents



I. Welcome	page 1
II. The Courtroom	page 2
III. The Judge	page 3
IV. The Jury	page 4
V. The Court Clerk	page 5
VI. The Court Reporter	page 6
VII. The Attorneys	page 7
VIII. The Witness Chair	page 8
IX. The Spectators	page 9
X. Conclusion	page 10
XI. Acknowledgments	page 11

Welcome to Kentucky's Court System



Learning about the court system is an important way to prepare you to be a responsible citizen. In Kentucky, the role of the judicial branch is to protect the rights of its citizens by interpreting and applying laws of the Commonwealth. Judges, attorneys, clerks, and other court personnel all play important parts in making the system run smoothly.

This book will help you understand the court system. Take advantage of the opportunity to learn as much as you can about the judicial branch. The more you know, the more you can make the court system work for you.

A stylized, handwritten signature of Joseph E. Lambert in dark ink.

Joseph E. Lambert
Chief Justice,
Supreme Court of Kentucky

The Courtroom

When people have an argument they cannot settle themselves, they can seek help from Kentucky's courts. There are two levels of courts. The "lower courts," which are the district and circuit courts, have limited and general jurisdiction. This means they each have control or authority over certain kinds of cases. Juvenile matters, traffic offenses, misdemeanors, and small claims are heard in district court. Cases involving capital offenses and felonies, divorce, and major civil matters are heard in circuit court. The "higher courts" are the Court of Appeals and the Supreme Court of Kentucky. These are appellate courts, meaning they hear appeals and review the decisions of the lower courts. The Supreme Court is the highest court in Kentucky. In all of the courts, the judge helps people solve problems according to the law.



The Judge

There are 129 district judges and 111 circuit judges in Kentucky. Men and women from across the state are elected, or in some cases appointed to serve as judges. The role of the judge is to make sure a fair trial is held.

The judge is in charge of the courtroom and sits in the front of the courtroom behind a big desk called the "bench." He or she makes decisions based on Kentucky laws and the Kentucky Constitution.

The judge decides all cases involving questions of law. When there are questions of fact, a jury is asked to participate. If a jury participates, the judge instructs the jury, receives their verdict, and enters a judgment.



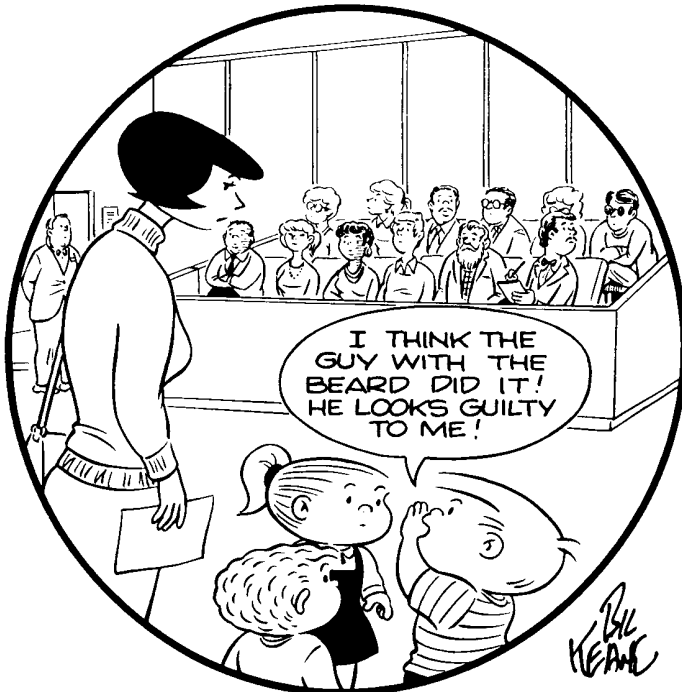
The Jury



One day you may be called to serve as a jury member. Jurors are selected by computer from a list containing registered voters and licensed drivers. Jury duty is one of the most important responsibilities of a Kentucky citizen.

During a trial, jurors listen carefully to the evidence presented by the attorneys and witnesses. All jurors sit together in a "jury box," a special place in the courtroom where it is easy to hear and see everything that happens in the trial.

In criminal cases, juries decide guilt and innocence. In civil cases, juries decide issues like who owns a piece of property. Sometimes there is no jury and the judge decides the case based on the evidence and testimony given in court.



The Court Clerk

There are 120 circuit court clerks in Kentucky, one for each county. The clerks are elected and serve for six years. The court clerk is the person responsible for the safekeeping of all court records.

When people have a problem they want the court to solve, they must go to the clerk's office to file a complaint. The court clerks also receive fines, issue drivers' licenses, and schedule juries.

Once a complaint is filed, the clerk schedules the case before a judge. In the courtroom, the clerk asks the witness to "swear" or promise to tell the truth.



The Court Reporter



It is very important to keep an accurate record of everything that happens in a trial, from testimony to evidence. For this reason, many courts have court reporters who are responsible for recording the trial on a special machine.

In many circuit courts, video equipment is used to record the trial. There are no court reporters in these courtrooms.

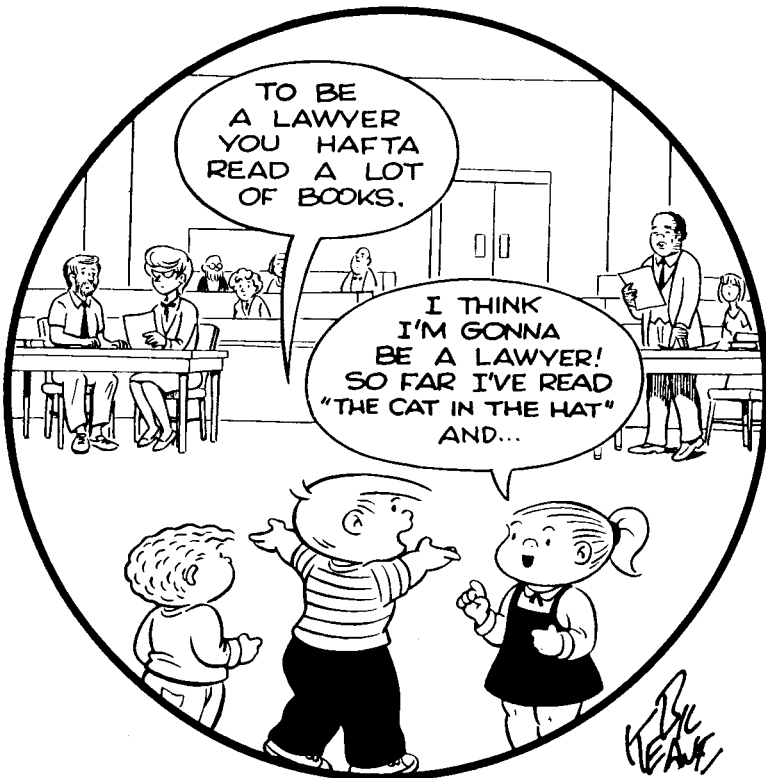
If someone believes an error was made in his or her case, that person can ask another court to review the case. This is called an "appeal." Attorneys and appellate judges rely on the court reporter's notes or videotape to see and hear exactly what happened during the first trial.



The Attorneys

The attorneys, who are also called “lawyers,” represent clients during a trial. There are two sides in every trial. The plaintiff is the person bringing the suit and the defendant is the person being sued. The role of the attorney is to help prove the client’s case by finding witnesses and evidence to support the claim.

In some cases, an attorney is not required. People tell the judge their side of the story, and he or she makes a decision.

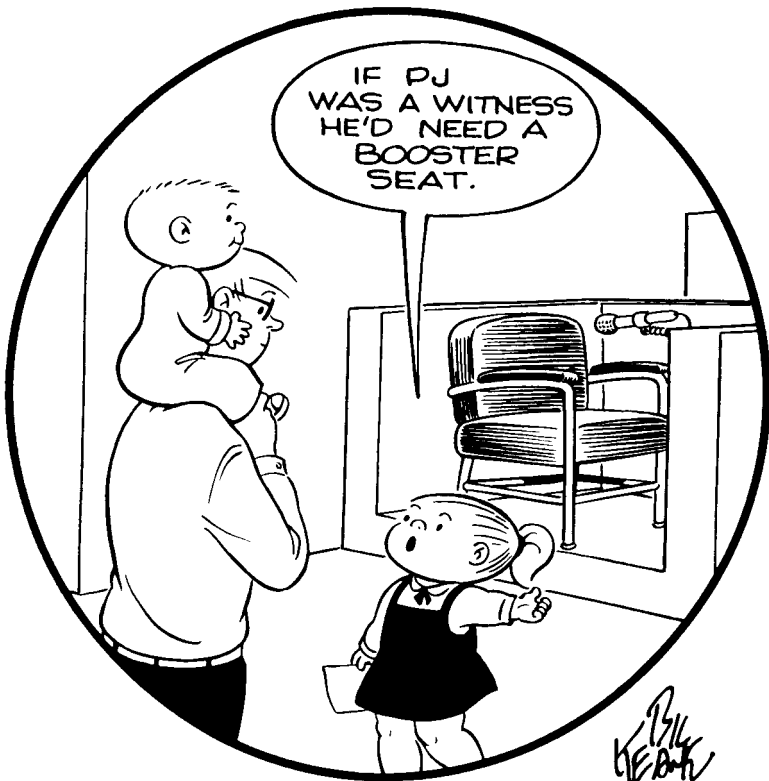


The Witness Chair



Attorneys can ask people who know something about the case to testify at the trial. These people are witnesses. They have a special place to sit in the courtroom called the “witness chair.” They promise to tell the truth. Witnesses answer questions from both attorneys and sometimes the judge.

Witnesses are important because they can tell the court about something they heard or saw. This helps the judge and the jury make fair decisions.



The Spectators

People are usually welcome to observe the trial in the courtroom. All visitors are asked to obey the rules, like standing when the judge stands and being quiet during the trial. It is important to be quiet so everyone can hear what is being said. If spectators are being too noisy, the judge may order them to be quiet or to leave the courtroom. A police officer, called a "bailiff," makes sure everyone in the courtroom follows the judge's orders.



Conclusion



Today, you have taken steps to build a working knowledge of Kentucky's Court of Justice. Those of us who work with the court system hope you will continue to learn more about the judicial branch of government.

The Administrative Office of the Courts coordinates several law related education programs which can help you continue learning more about the courts and the justice system. "Shoplifting Prevention" is a program designed for elementary-aged children, and features classroom presentations and an original coloring book, "Bobby and the Court Designated Worker Program."

For more information about law related education programs, or if you have additional questions about the court system, contact the Administrative Office of the Courts, Division of Court-Community Relations, 100 Millcreek Park, Frankfort, KY 40601, (502)573-2350.

Remember, the more you know, the more you can make the court system work for you.

Acknowledgments



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A decorative border made of four pencils (top, bottom, left, and right) with wavy scribbles extending from their tips to form a rectangular frame around the central text.

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